

Delegated Report

Full Planning Application

Planning Application No: 20260788

Location: Land On North Side Of Heron Hill Lane Meopham Gravesend

Description: Change of use of 1.2 acres for a dog walking paddock together with fencing, hardstanding and car parking.

Applicant: Mr W Oakes

Site Visit Date: Desktop Assessment

Submitted Documents/Plans

Planning Application Form;
Drawing No. OPC-0626-01 – Location Plan;
Drawing No. OPC-0626-02 – Existing Block Plan;
Drawing No. OPC-0626-03 – Proposed Block Plan;
Drawing No. OPC-0626-04 – Typical Elevations;
Drawing No. OPC-0626-05 – Proposed Site Plan;
Supporting Information – Planning Statement;
Supporting Information – Preliminary Ecological Appraisal – Kent Sussex Ecology Ref. 0564 (July 2026);
Supporting Information – BNG Condition Assessment; and
Supporting Information – BNG Metric.

Relevant Planning History

None.

Development Plan

Gravesham Local Plan Core Strategy (2014)

- CS01 – Sustainable Development
- CS02 – Scale & Distribution of Development
- CS12 – Green Infrastructure
- CS18 – Climate Change
- CS19 – Development & Design Principles

Gravesham Local Plan: First Review (1994)

- P3 – Vehicle Parking Standards
- T1 – Impact of Development on Highway Network
- T4 – Development outside the Built-Up Area

As set out in Regulation 10A of the Town and Country Planning (Local Planning) England Regulations 2012 policies within adopted local plans should be reviewed to assess whether they need updating at least once every five years, and should then be updated as necessary. Such reviews are also a legal requirement

The Council undertook such a review in September 2019 and found that the adopted Local Plan Core Strategy is in need of a partial review in terms of Policy CS02, due to the increased need for housing since

the Local Plan Core Strategy was adopted and the need to ensure that a sufficient land supply exists to meet this need. Whilst saved policies from the Local Plan 1st Review (1994) generally conform with the NPPF (2026), the Council will also seek to replace these.

National Planning Policy Framework (2026)

- Section 4 – Achieving Sustainable Development
- Section 5 – Meeting the challenge of climate change
- Section 7 – Building a strong, effective economy
- Section 13 – Protecting Green Belt Land
- Section 14 – Achieving Well-Designed Places
- Section 15 – Promoting sustainable transport
- Section 19 – Conserving and Enhancing the Natural Environment

Supplementary Planning Guidance

- SPG 4 – KCC Parking Standards (2006)
- Design for Gravesham – Design Code (2024)
- Gravesham Landscape Character Assessment (2009)

Emerging Local Plan as a Material Consideration

Section 38(6) of the Planning and Compulsory Purchase Act 2004 (Planning and Compulsory Purchase Act 2004) and section 70(2) of the Town and Country Planning Act 1990 (Town and Country Planning Act 1990) make it clear that planning applications can only be determined in accordance with the development plan, unless material considerations indicate otherwise.

Decision Making Policy DM4 of the Framework sets out that when considering development proposals, relevant policies may be given weight, however, this is subject to:

- The stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);
- The extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
- The degree of compliance of the relevant policies in the emerging plan with the policies for plan-making in this Framework (the closer the policies in the emerging plan to the policies in this Framework, the greater the weight that may be given to them).

West Oxfordshire District Council v Secretary of State for Housing, Communities and Local Government & Rosconn Strategic Land Ltd [2018] EWHC 3065 (Admin) is a High Court judgement that deals with the weight to be given to a Regulation 19 Local Plan. In this judgement, the Court found that the weight to be given to an emerging Local Plan was a matter of planning judgement, which had to be reached having fully considered the relevant part of the Framework, which from 17 August 2026 Decision Making Policy DM4 of the Framework.

The Council's emerging Local Plan has reached the Regulation 19 Consultation stage, with the consultation having ended on 18 August 2026. The emerging Local Plan does not form part of the Development Plan.

The Council is aware that third parties have raised objections to the wider emerging Local Plan and specific policies within it. Therefore, at present the Council cannot categorically state that the emerging Local Plan can be considered sound and consistent with the National Planning Policy Framework (2024) [as an emerging Local Plan being brought forward under the legacy system, it would be examined under the 2024 Framework]. Taking this into consideration, one can only conclude that at this stage of the process, **limited (i.e. minimal) weight should be afforded to the emerging Regulation 19 Local Plan.**

This position would only change once the emerging Local Plan has progressed towards submission and examination, with the Council being fully aware of policies that are subject to unresolved objections and with knowledge of policies that have had their soundness and conformity against the Framework challenged.



This approach accords with the approach taken in a separate High Court case, Gladman Developments Ltd v SSHCLG & Corby Borough Council; & Uttlesford DC [2020] EWHC 518 (Admin) and Court of Appeal [2021] EWCA Civ 104, which was also the subject of a Court of Appeal Ruling [2021] EWCA Civ 104.

Consultations, Publicity and Representations

Consultees

Meopham Parish Council

Meopham Parish Council recommends that planning permission be refused on the grounds that the proposed development would constitute inappropriate development within the Green Belt and that the site does not benefit from suitable and satisfactory access.

KCC Biodiversity

No comments received.

Neighbouring properties

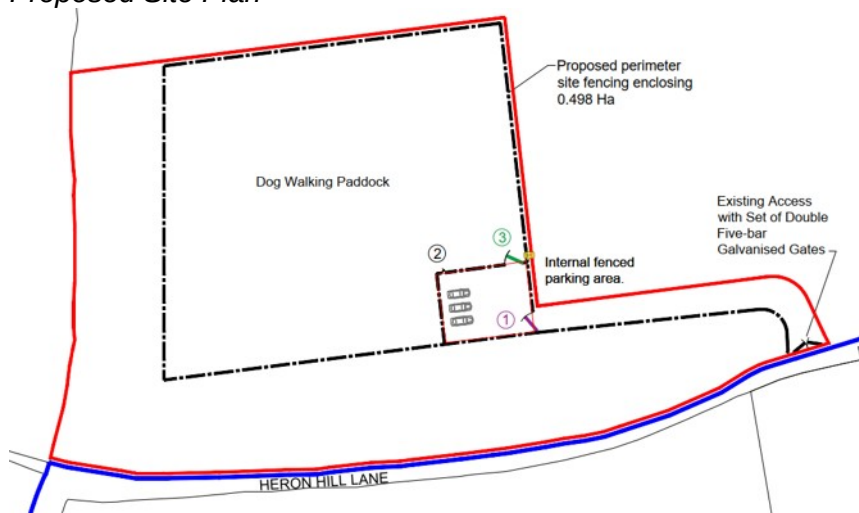
The application was advertised by the displaying of a site notice, together with individual letters being sent to 4 surrounding properties with an overall expiry date of 9th September 2026. No comments have been received.

Officer's Analysis

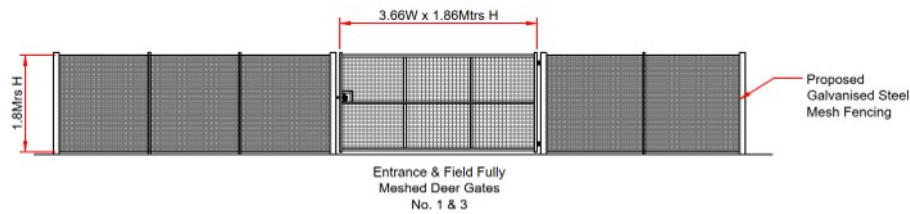
Proposal

The application seeks permission for the change of use of 1.2 acres for a dog walking paddock together with fencing, hardstanding and car parking. The site would be accessible from Heron Hill Lane through an existing access. The proposal includes a small area for the provision of car parking, together with 1.8m high galvanised steel wire mesh perimeter fencing and gates.

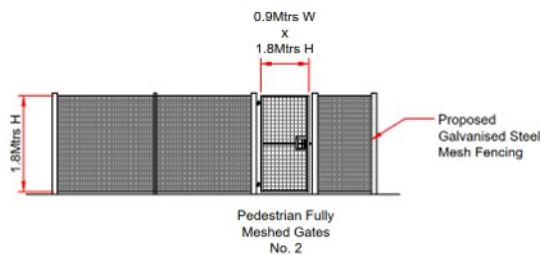
Proposed Site Plan



Proposed Fencing and Gates



Entrance & Field Gate Elevation -



Pedestrian Gate Elevation -

Principle

Policy CS07 of the Gravesham Local Plan Core Strategy 2014 supports proposals that promote the appropriate expansion and diversification of the rural area economy. The principle of the proposals is acceptable providing they meet the criteria of all other relevant planning policies.

Green Belt

The site is located in the Metropolitan Green Belt, Grade 3 Agricultural Land, the Harvel Wooded Downs Landscape Character Area and an area of archaeological potential.

Policy CS02 states that development in the Green Belt that proposes to maintain and diversify the rural economy will be supported where it is compatible with national policies for protecting the Green Belt and policies in the Core Strategy.

The Government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence.

Policy GB2 states that the Green Belt serves five purposes:

- a. Check the unrestricted sprawl of large built-up areas;
- b. Prevent neighbouring towns merging into one another;
- c. Assist in safeguarding the countryside from encroachment;
- d. Preserve the setting and special character of historic towns; and
- e. Assist urban regeneration by encouraging the recycling of derelict and other urban land.

Policy GB1 states that the general extent of Green Belts across the country is already established. New Green Belts should only be established in exceptional circumstances, for example when planning for larger scale development such as new settlements or major urban extensions.

Policy GB6 states that when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt, including harm to its openness. Inappropriate

development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.

Policy GB7 states that development in the Green Belt is inappropriate unless one of the following exceptions applies:

- a. Development which is for agriculture, horticulture and forestry, or which is solely for nature conservation, restoration and/or enhancement;
- b. The reuse, extension, alteration or replacement of an existing building, provided that the existing building is of permanent and substantial construction, is lawful in planning terms, and any extension or alteration will not result in a disproportionate increase in size compared to the original building⁴⁰. In the case of proposals for a replacement building, it should be for the same use and not materially larger than the one it replaces;
- c. Limited infilling in villages lying within the Green Belt;
- d. Limited affordable housing for local community needs under policies set out in this Framework or the development plan (for instance, on a rural exception site);
- e. The redevelopment of previously developed land (including a material change of use to residential or mixed-use including residential), which would not cause substantial harm to the openness of the Green Belt;
- f. Certain other forms of development, provided the impact on the openness of the Green Belt is minimised, and there would not be a significant conflict with the Green Belt purposes. These are:
 - i. Mineral extraction and processing, engineering operations, and transport, electricity network, water and telecommunications infrastructure required in a Green Belt location);
 - ii. Development brought forward under a Community Right to Build Order or Neighbourhood Development Order;
 - iii. Material changes in the use of land (such as changes of use for outdoor sport or recreation, or for cemeteries and burial grounds); and
 - iv. The provision of appropriate facilities (in connection with the existing use of land or a change of use), including buildings, for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments.
- g. Development where all of the following apply:
 - i. The development would utilise grey belt land and would not fundamentally undermine the purposes (taken together) of the remaining Green Belt across the area of the plan;
 - ii. There is an evidenced unmet need for the type of development proposed⁴¹;
 - iii. The development would be in a sustainable location, with particular reference to policy TR3 of this Framework⁴²; and
 - iv. In the case of major development involving the provision of housing, the development proposed complies with policy GB8.
- h. Residential or mixed-use development which would:

- i. Be within reasonable walking distance of a well-connected station (applying the definitions in the glossary at Annex B);
- ii. Be physically well-related to the station or the settlement within which the station is located;
- iii. Be of a scale which can be accommodated taking into account the existing or proposed availability of infrastructure;
- iv. Not prejudice any proposals for long-term comprehensive development in the same location; and
- v. In the case of proposals for major development, comply with policy GB8.

The proposed development comprises the use of the land for outdoor dog walking paddock with no buildings or structures proposed, with the exception of perimeter fencing and an area of hardstanding for vehicle parking. As such, the development may therefore be considered an exception under Policy GB7(f) (iii) and/or (iv) of the NPPF (2026).

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iv. The provision of appropriate facilities (in connection with the existing use of land or a change of use), including buildings, for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments.

In this case, the proposal is to change the use from agricultural land, as stated in the supporting application form. Based on aerial views, it is noted that the area appears to have been devoid of trees with the exception of the boundary hedgerow. The site appears to have remained unchanged since the first satellite image of 1940. As such, with no planning history available and historic images, the site must be considered as agricultural land.

Google Earth 1940



There are no structures on the site and none are proposed or have been erected without planning consent. The proposed use for the exercise of dogs could be considered a similar type of use to the grazing of agricultural animals. With the exception of boundary fencing, which would be necessary for safety, and a small area of hardstanding for parking, both of which could be removed without detriment to the overall site, there would be no material change to the land.

To the east of the site is Meopham Plant Hire and stables and residential dwellings. To the west is the



more built-up area of Heron Hill Lane with residential dwellings.

Existing Site and Surrounding Area



The submitted details are;

Access

Utilises existing access
Permeable access track

Fencing

1.8m high galvanised mesh boundary fencing

Hours of operation

08:00 – 18:00 daily (including weekends and bank holidays)

Capacity

A maximum of 2 cars and 5 dogs at any one time

Parking

Parking provision for 2 cars (stated on application form), 3 spaces shown on proposed plans)

Facilities

Dog waste bin, to be emptied twice weekly by professional waste disposal company

There will be no toilet facilities provided, no artificial lighting and no employees present on site.

The proposal would result in no loss of trees, no new roads and no impact on any public rights of way.

The proposed use is recreational in nature and is therefore considered to accord with Policy GB7(f) of the NPPF (2026). In terms of the impact on the openness of the Green Belt, the physical alterations associated with the proposal are limited to the erection of 1.8-metre-high galvanised mesh fencing and the provision of a relatively small area of hardstanding for vehicle parking. The proposed fencing is considered to be of an appropriate height, form and appearance for its rural setting and, together with the hardstanding, would be capable of removal without lasting detriment to the character or appearance of the landscape should the

use cease. The proposal would not result in an excessive amount of associated paraphernalia, and a condition is recommended requiring any dog exercising equipment to be removed from the site when not in use. Given the limited and controlled number of visitors, the modest extent of the associated physical works and their reversible nature, the proposal would not result in an unacceptable impact on the openness of the Green Belt. Accordingly, subject to appropriate conditions, the use of the field for dog walking and exercising is considered acceptable in Green Belt terms.

The proposal would therefore accord with Policy GB7(f) of the NPPF (2026).

Landscape Character Area

It is also noted that the site is in the Harvel Wooded Downs Landscape Character Area. Given the highly temporary nature of the exercise equipment and proposed fencing height and design, and its similarity to the existing use for grazing, it is considered that development does not significantly harm the Landscape Character Area. The proposals therefore will not detract from the landscape character and conform to the objectives of Policies CS12 and CS19 of the Gravesham Local Plan Core Strategy 2014.

Neighbouring Amenity

There will be no building works on site and therefore there will be no impact on the amenities of neighbouring properties in terms of loss of outlook, privacy, sunlight or daylight.

In terms of noise, the nearest residential dwelling to the site is Lucas, located approximately 86m to the southwest and Eastfield Farm to the northeast, some 154m away. There is some concern that the proposal could give rise to additional noise by the barking of dogs, however there would be no more than 5 dogs at any one time which will be operated through an online booking system, which can be conditioned, together with the hours of operation. As this is not a boarding facility and the numbers and operational hours are to be limited, it is unlikely to be a noise nuisance. However, in order to monitor the proposed use, and to ensure that it has no detrimental impact on surrounding neighbours, a temporary permission can be put in place, before any permanent permission is granted.

With regard to other matters, there will be no dog waste left on site for long periods of time, with collection proposed twice weekly. There is also no lighting or toilet facilities proposed and operating hours are limited to 08:00-18:00 daily. All of these details can be secured via the imposition of conditions.

It is important that decisions made in the Borough take a consistent approach. Whilst all developments are assessed on their merits, similar development often have similar issues and as such similar approaches to their assessment should be taken. A similar used for a dog exercise field in the borough has been approved in Higham (App. Ref. 20240661) together with applications on Camer Road (20211565 and 20230029). With the former, a two year temporary permission was given in January 2025, which subsequently expires in January 2027. This proposal was for up to 8 dogs. The latter, on Camer Road was initially given a temporary approval in order to fully ascertain any potential impact from the proposed development, as a new type of development. Following a temporary permission, full permission was granted. As such, and taking a similar approach, it is considered that a temporary permission should also be granted in this instance.

In addition, there have been objections received from neighbouring residents.

On this basis the proposed development is likely to be considered to safeguard the amenity of neighbouring properties in compliance with policy CS19 of the Core Strategy 2014 subject to details reserved by planning conditions. However this needs to be ensured through the mechanism of granting by a temporary consent, which would allow the full impacts of the scheme to present themselves.



Parking and Highways

The proposal would utilise an existing access from Heron Hill Lane. Alterations would include the use of permeable materials and a hardstanding area for car parking of 2-3 vehicles.

The proposed measures would ensure that there would be no obstructions on Heron Hill Lane.

There is a lack of signage at the entrance of the site, which may make it difficult for users to find. As such, it would be necessary and reasonable to require details of entrance signage to be reserved by planning condition. This would avoid unnecessary delays and potentially hazardous stopping and turning on this narrow road.

Existing Access



The use of the booking system and restrictions of hours or operation will also limit any traffic congestion and parking difficulties.

However, as previously stated in the amenity section, a temporary permission would be advisable in this instance, so that the full impacts of the proposal can be fully assessed prior to any permanent permission being granted.

On this basis the proposed development could be considered acceptable in relation highway safety an appropriate parking provision, in accordance with Policy CS11 of the Gravesham Local Plan Core Strategy (2014). However, the temporary consent would allow a full and reflective assessment of these impacts.

Any Other Material Planning Considerations

Biodiversity and Ecology

The NPPF (Section 19) seeks to ensure that any development result in a biodiversity net gain. The site comprises previously developed land, with no known ecological designations, priority habitats, or protected species records. This has been supported by the Preliminary Ecological Appraisal 2024/04/28 KB Ecology (June 2024).

The application was supported with a Preliminary Ecological Appraisal and Biodiversity Net Gain Assessment (Kent Sussex Ecology, Ref. 0564, dated July 2026), which confirmed “that there was no direct evidence of protected species present on the site, reflecting its long-standing use as arable land, used for the production of combinable crops for over 20 years.”

The proposal does not include the removal of any trees or hedgerows and only includes the provision of a relatively small area of hardstanding for vehicle parking.

Net Gain

Biodiversity net gain is a way of creating and improving biodiversity by requiring development to have a positive impact ('net gain') on biodiversity.

Town and Country Planning Act 1990 (inserted by the Environment Act 2021). This statutory framework is referred to as 'biodiversity net gain' in Planning Practice Guidance to distinguish it from other or more general biodiversity gains.

Under the statutory framework for biodiversity net gain, subject to some exceptions, every grant of planning permission is deemed to have been granted subject to the condition that the biodiversity gain objective is met ("the biodiversity gain condition"). This objective is for development to deliver at least a 10% increase in biodiversity value relative to the pre-development biodiversity value of the onsite habitat. This increase can be achieved through onsite biodiversity gains, registered offsite biodiversity gains or statutory biodiversity credits.

The proposed development would fall within recreational use and there are no buildings or structures proposed. The site does not fall within a SSSI Impact Risk Zone and the supporting PEA states that "the development is highly unlikely to adversely affect any statutory or non - statutory designated sites." However, the site is bordered by ancient woodland to the west, however due to the nature of the development and the existing hedgerow which is not to be altered, it is considered that the proposal would not result in a negative impact. The supporting planning statement and PEA states that "the loss of the existing low-value agricultural habitats will be offset by the enhancement of retained cropland. This will involve the creation of floristically diverse 'arable field margins pollen and nectar' habitat, which is recognised as a UK priority habitat. The statutory biodiversity metric calculation confirms the proposed measures will deliver a sufficient net gain in area habitat units, exceeding the 10% statutory requirement." In addition, there would be the creation of modified grassland along the southern border of the site, together within the paddock itself.

With regards to ecology, the supporting documents confirm that there was no evidence of roosting bats were recorded, however in order to mitigate against potential adverse effect on biodiversity, a condition securing biodiversity enhancement will be imposed.

Therefore, subject to the aforementioned conditions, the proposal is acceptable and would accord with Policy CS12 of the Core Strategy (2014) and Section 19 of the National Planning Policy Framework (2026).

Conclusion

The proposed development is acceptable in the Green Belt. There would be limited impact visually on the wider character of the area and landscape and limited impact on the residential amenity of neighbouring properties. However, in order to assess the full impacts of the proposal, it is considered a two-year temporary permission is given. Subject to conditions relating to number restrictions and hours of operation, it is considered that the proposed scheme complies with all relevant national and local planning policies.

Recommendation

The recommendation is to grant temporary planning permission, for a period of 2 years, so that the impacts of the scheme in terms of noise and highways and parking, may be fully understood before the applicant may re-apply for permanent planning permission. This would be subject to details reserved by conditions.

(For detailed conditions and informatives, see draft Decision)

Case Officer:	Ms Amanda Cue	Team Leader:	Richard Hart
Signed:	A Cue	Signed:	R Hart



Dated:	22 nd September 2026	Dated:	22nd September 2026